

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA,

— v. —

BRIAN SWIENCINSKI, ET AL.

Defendants.

No. 4:18-cr-00368

**DEFENDANT BRIAN SWIENCINSKI’S UNOPPOSED
MOTION TO MODIFY CONDITIONS OF RELEASE**

Defendant Brian Swiencinski respectfully moves to modify his conditions of release, and in support, states as follows:

1. Per Mr. Swiencinski’s conditions of release, his travel is restricted to the state of Texas.

2. Mr. Swiencinski has been complying with his conditions of release for nearly five years—without incident. After a six-week trial in 2022, the Court declared a mistrial on December 13, 2022. Mr. Swiencinski remains released under the same conditions of release that applied pre-trial.

3. Mr. Swiencinski requests that the Court modify his conditions of release to include travel throughout the United States without restriction. For example, Mr. Swiencinski’s primary residence is in California. He would benefit from not having to seek permission to visit his home. Rather than having to repeatedly seek permission to travel, Mr. Swiencinski seeks to modify his release conditions so that he may travel within the United States.

4. There are sufficient grounds to grant this motion. Mr. Swiencinski has dutifully followed his conditions of release without incident, has appeared for trial and all other court

proceedings when his appearance was required, and has already surrendered his passport. There is no incentive for him to flee the jurisdiction of the Court or reason to believe that he would do so.

5. On June 14, 2023, counsel to Mr. Swiencinski conferred with counsel for the government, Dan Griffin, who indicated the government does not object to this motion.

Accordingly, Defendant Brian Swiencinski respectfully requests that the Court modify his conditions of release so that he may travel throughout the United States without restriction.

Dated: June 14, 2023

Respectfully submitted,

/s/ Brandon McCarthy

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CERTIFICATE OF SERVICE

I hereby certify that on June 14, 2023, I caused a true and correct copy of the foregoing Defendant Brian Swiencinski's Unopposed Motion to Modify Conditions of Release, to be served on all counsel of record by filing it with the Clerk using the Court's CM/ECF System.

/s/ Brandon McCarthy
Brandon McCarthy